

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THOMAS E. MERTZ,

Plaintiff,

v.

**DONZI MARINE, INC. and
AMERICAN MARINE HOLDINGS,
INC., in its own right and d/b/a DONZI
MARINE,**

**Defendants and
Third Party Plaintiffs,**

v.

THE BOAT STORE,

Third-Party Defendant

Civil Action No. 04-55E

ORDER

On March 6, 2007, this Court ordered Third-Party Defendant The Boat Store to file a Pretrial Statement meeting the requirements of this Court's Local Rule 16.1.4.C within twenty-one (21) days of Defendants filing their Pretrial Statement. Defendants filed their Pretrial Statement on April 16, 2007. Therefore, Third-Party Defendant The Boat Store should have filed its Pretrial Statement on or before May 7, 2007. To date, Third-Party Defendant The Boat Store has not filed its Pre-trial Statement.

AND NOW, to-wit, this 21st day of May, 2007, it is hereby ORDERED, ADJUDGED and DECREED that Third-Party Defendant The Boat Store is to file a Pretrial Statement that complies with the requirements of Local Rule 16.1.4.C on or before June 4, 2007. See W.D.PA.LR. 16.1.4.C. Failure by Third-Party Defendant The Boat Store to file a pretrial statement and fully disclose the substance of the evidence to be offered at trial may

result in the exclusion of Third-Party Defendant The Boat Store's evidence at trial. See
W.D.PA.LR. 16.1.4.G.


Maurice B. Cohill, Jr.
Senior District Court Judge

cc: counsel of record

The Boat Store
c/o Gregory Szczesny
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